

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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DONNA T.,

Plaintiff,

5:19-CV-1480  
(DJS)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**APPEARANCES:**

**OF COUNSEL:**

OLINSKY LAW GROUP  
Attorney for Plaintiff  
250 South Clinton Street  
Suite 210  
Syracuse, NY 13202

HOWARD D. OLINSKY, ESQ.

SOCIAL SECURITY ADMINISTRATION  
Attorney for Defendant  
J.F.K. Federal Building, Room 625  
15 New Sudbury Street  
Boston, Massachusetts 02203

LISA SMOLLER, ESQ.

**DANIEL J. STEWART**  
**United States Magistrate Judge**

**ORDER**

The Complaint in this action was filed on November 27, 2019. Dkt. No. 1. In February of 2021, the Court ordered the matter remanded to the Social Security Administration for further proceedings. Dkt. Nos. 19 & 20. Plaintiff has now filed a Motion for Attorneys' Fees under the Equal Access to Justice Act. Dkt. No. 21. The Motion seeks that the fee award be paid directly to counsel. *Id.* Defendant does not

oppose the Motion, and has no objection to paying fees directly to counsel pursuant to Plaintiff's "assignment of attorney's fees" if at the time of the Order, Plaintiff does not owe a debt to the government that is subject to offset. Dkt. No. 22.

Based on the foregoing, Plaintiff is awarded attorneys' fees under the Equal Access to Justice Act (EAJA) (28 U.S.C. § 2412, *et seq.*) in the amount of \$7,976.27. It is further ordered that payment will be made directly to Plaintiff's attorney pursuant to the agreed upon assignment from Plaintiff. *See* Dkt. No. 21-6.

**IT IS SO ORDERED.**

Dated: June 23, 2021  
Albany, New York



Daniel J. Stewart  
U.S. Magistrate Judge